

03 - 21 - 06

PTO/SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO TRANSMITTAL FORM (to be used for all correspondence after initial filing) U.S. PATENT AND TRADEMARK OFFICE	Application Number	10/561,201	
	Filing Date	December 19, 2005	
	First Named Inventor	Roy	
	Art Unit		
	Examiner Name		
Number of Pages in This Submission	7	Attorney Docket Number	UPN-P3067-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - 19 documents
Remarks Customer No. 00270 Express Mail No. ED 379414398 US		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	HOWSON AND HOWSON	
Signature	<i>Cathy A. Kodroff</i>	
Printed name	Cathy A. Kodroff	
Date	March 20, 2006	Reg. No. 33,980

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UPN-P3067-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/561,201

Confirmation No.: 9061

Applicant : Roy *et al.*

Filed : December 19, 2005

TC/A.U. :

Examiner :

Customer No. : 00270

Title : METHODS OF GENERATING CHIMERIC ADENOVIRUSES AND USES FOR
SUCH CHIMERIC ADENOVIRUSES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant submits to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A/B is attached and copies of the documents are enclosed herewith. This Information Disclosure Statement is submitted three months from the filing date of this application and before the receipt of a first Office Action on the merits. Therefore, no fees are believed to be due.

The month of the publication for documents FF and LL could not be determined. The year of the publication for these documents are sufficiently earlier than the effective US filing date and/or foreign priority date of the present application so that the particular month of publication of this document is not an issue (MPEP § 609.04(a)).

Express Mail No. ED 379414398 US

REMARKS

Listed below are previously filed, and co-pending, US Patent applications. The application and the present application are commonly owned:

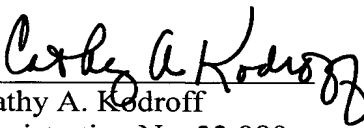
- (1) US Patent Application No. 10/494,364, filed on May 12, 2004, now US Patent Application Publication No. 20050069866 A1, published March 31, 2005, which corresponds to International Publication No. WO 03/046124 A2, published on June 5, 2003.
- (2) US Patent Application No. 10/480,793, filed on December 19, 2003, now US Patent Application Publication No. 20040241181 A1, published December 2, 2004, which corresponds to International Publication No. WO 03/000283 A1, published on January 3, 2003.

The Examiner is respectfully requested to consider the document(s) identified in this paper and in the attached Form PTO/SB/08A/B during the course of examination of this application.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for Applicant

By 
Cathy A. Rodroff
Registration No. 33,980
501 Office Center Drive
Suite 210
Fort Washington, PA 19034
Phone: (215) 540-9200
Fax: (215) 540-5818



UPN-P3067-2

PTO/SB/08A (07-05)

Approved for use through 07/30/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/561,201
				Filing Date	December 19, 2005
				First Named Inventor	Roy
				Art Unit	
				Examiner Name	
Sheet	1	of	4	Attorney Docket Number	UPN-P3067-2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	US-5,712,136	01-27-1998	Wickham et al	
	B	US-5,846,782	12-08-1998	Wickham et al	
	C	US-5,856,152	01-05-1999	Wilson et al.	
	D	US-5,871,982	02-16-1999	Wilson et al.	
	E	US-5,922,315	07-13-1999	Roy, S.	
	F	US-5,965,541	10-12-1999	Wickman et al	
	G	US-6,057,155	05-02-2000	Wickham et al	
	H	US-6,083,716	07-04-2000	Wilson et al.	
	I	US-6,127,525	10-03-2000	Crystal et al	
	J	US-6,153,435	11-28-2000	Crystal et al	
	K	US-6,251,677	06-26-2001	Wilson et al.	
	L	US-6,329,190	12-11-2001	Wickham et al	
	M	US-6,387,368	05-14-2002	Wilson et al.	
	N	US-6,465,253	10-15-2002	Wickham et al	
	O	US-6,576,456	06-10-2003	Wickham et al	
	P	US-6,649,407	11-18-2003	Wickham et al	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/561,201
				Filing Date	December 19, 2005
				First Named Inventor	Roy
				Art Unit	
				Examiner Name	
Sheet	2	of	4	Attorney Docket Number	UPN-P3067-2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	Q	US-6,001,557	12-14-1999	Wilson et al.	
	R	US-6,203,975	03-20-2001	Wilson et al.	
	S	US-2004-0171807	09-02-2004	Gao et al.	
	T	US-2005-0069866 A1	03-31-2005	Wilson et al.	
	U	US-2004-0241181 A1			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ -Kind Code ⁵ (if known)				
	V	WO 00/03029	01-20-2000	Havenga et al.		
	W	WO 03/046124 A2	06-05-2003	Wilson et al.		
	X	WO 96/13598 A2	05-09-1996	Wilson et al.		
	Y	WO 03/000851	01-03-2003	Gao et al.		
	Z	WO 03/000283 A1	01-03-2003	Ertl et al.		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/561,201
				Filing Date	December 19, 2005
				First Named Inventor	Roy
				Art Unit	
				Examiner Name	
Sheet	3	of	4	Attorney Docket Number	UPN-P3067-2

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item, (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²	
	AA	WU et al., "Construction and characterization of adenovirus serotype 5 packaged by serotype 3 hexon", J Virol., 2002 Dec;76(24):12775-82.		
	BB	ROY et al., "Circumvention of immunity to the adenovirus major coat protein hexon", J Virol., 1998 Aug;72(8):6875-9.		
	CC	GALL et al., "Construction and characterization of hexon-chimeric adenoviruses: specification of adenovirus serotype", J Virol., 1998 Dec;72(12):10260-4.		
	DD	GALL et al., "Adenovirus type 5 and 7 capsid chimera: fiber replacement alters receptor tropism without affecting primary immune neutralization epitopes", J Virol., 1996 Apr;70(4):2116-23.		
	EE	WOHLFART, C., "Neutralization of adenoviruses: kinetics, stoichiometry, and mechanisms", J Virol., 1988 Jul;62(7):2321-8.		
	FF	YOUIL et al., "Hexon gene switch strategy for the generation of chimeric recombinant adenovirus", Hum Gene Ther., 2002 Jan 20;13(2):311-20.		
	GG	FARINA et al., "Replication-defective vector based on a chimpanzee adenovirus", J Virol., 2001 Dec;75(23):11603-13.		
	HH	STEVENSON, D., "SA18 (Simian adenovirus 18) ATCC VR-943", American Type Culture Collection Catalogue of Strains II: Viruses and Antisera, 1983, p. 227: paragraph 1.		
	II	ROY et al., "Characterization of a family of chimpanzee adenoviruses and development of molecular clones for gene transfer vectors", Hum Gene Ther., 2004 May;15(5):519-30.		
	JJ	International Search Report for PCT/US2004/016614 (WO 2005/001103 A2)		
	KK	Written Opinion for PCT/US2004/016614 (WO 2005/001103 A2)		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.